



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Hiroshi AOKI *et al.*

Atty. Dkt. No. 086142/0452

Title: PASSENGER DISCRIMINATING APPARATUS

Appl. No.: 09/778,861

Filed: February 8, 2001

Examiner: Faye M. FLEMING

Art Unit: 3616

*M. Evans*  
10-28-02  
9/1/02  
Freedk  
RECEIVED  
OCT 22 2002  
GROUP 3600

**REQUEST FOR RECONSIDERATION**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Office Action mailed July 19, 2002, please consider the following remarks.

**REMARKS**

The Office Action mailed July 19, 2002, has been reviewed and the Examiner's comments carefully considered. Claims 1-10 remain pending and are submitted for reconsideration.

Claims 1-10 are rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No 6,371,513 (Fujimoto) in view of U.S. Patent No. 5,074,583 (Fujita). The rejection should be withdrawn because neither of the references (alone or in combination) disclose, teach or suggest the claimed invention.

The PTO admits that Fujimoto does not include a means for discriminating the type of passenger on the seat. The PTO contends that Fujita discloses an airbag system that includes seat sensors that "discriminate the type of passenger on the seat such as an adult, a child, or a